IN RE: PETITION FOR RESIDENTIAL

ZONING VARIANCE

NE/S Heather Hill Road, 920 ft. *

W of c/l Falls Road 1516 Heather Hill Road 8th Election District 3rd Councilmanic District Andrew P. Schachat, et ux

Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 96-267-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Andrew P. Schachat and Robin D. Schachat, his wife, for that property known as 1516 Heather Hill Road in the Cockeysville section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a 38 ft. building to property line setback, for a proposed dwelling addition, in lieu of the required 50 ft., and to amend the last approved Final Development Plan for lot No. 6 of Heather Hill, in a R.C.5 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

·通道的推制。

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of February, 1996 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a 38 ft. building to property line setback, for a proposed dwelling addition, in lieu of the required 50 ft., and to amend the last approved Final Development Plan for lot No. 6 of Heather Hill, in a R.C.5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

> The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:mmn

-2-





Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

February 15, 1996

Mr. and Mrs. Andrew P. Schachat 1516 Heather Hill Road Cockeysville, Maryland 21030

RE: Petition for Administrative Variance

Case No. 96-267-A

Property: 1516 Heather Hill Road

Dear Mr. and Mrs. Schachat:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

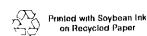
Very truly yours

Lawrence E. Schmidt

Zoning Commissioner

LES:mmn encl.

1 Sally Burney



Petition for Administrative Variance

	to the Zoning Commis	ssioner of Baltimore (County
MARYLAND	for the property located at	1516 Heather Hill Road	
9	6-267-A	which is presently zoned	R.C5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A04.3B3 TO PERMIT A 38 BUILDING SETBACK TO PROPERTY LINE (FOR A PROPOSED DOUGLUNG-ADDITION) IN LIEU OF THE REQUIRED 50 FT. AND TO AMEND THE LAST APPROVED FIWAL OF DEVELOPMENT RAN FOR LOT#6 OF HEATHER HILL orthe Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

- 1. Due to septic reserve location in front of lot, original builder/developer sited house toward rear of lot, making rear lot line as close as eighty-four feet from the house.
- 2. Irregular rear lot line creates angular configuration which contributes to proximity of rear property line vis-a-vis proposed addition.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

		legal owner(s) of the property which is the subject of this P	etitlon	
Contract Purchaser/Lessee		Legal Owner(s)		
		Andrew P. Schachat		
(Type or Print Name)		(Type or Print Name) P. Schooler		
Signature		Signature		
Address		Robin D. Schachat (Type of Prot Name)		
City State	Zipcode	Signature		
Attorney for Petitioner				
Arnold Fleischmann		1516 Heather Hill Road	252-2069	
(Type or Print Name)		Cockeysville, MD.	21030	
Musklike Men		City State	Zipcode	
Signature		Name, Address and phone number of representative to b	e contacted	
305 W. Chesapeake Ave.	Suite 105 337-7600) Name		
Towson, MD.	21204 Zipcode	Address	Phone No	

Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the



REVIEWED BY:

DATE:

circulation, throughout Baltimore County, and that the property be reposted



A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this

Printed with Soybean Ink on Recycled Paper

that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Athant(s) does/do presently reside at	Address	er mrr noda		
	Cockeysvil	le, MD.	21030 Zip Code	
	City		-	
That based upon personal knowledge, the follo Variance at the above address: (Indicate hardship or	wing are the facts upon white practical difficulty)	en i/we base the request	for all Administrative	
1. Due to septic reserve lo	ocation in front	of lot, origi	nal builder/develop	er
sited house toward rear	of lot, making	<u>lot line as cl</u>	ose as eighty-four	
feet from the house.				
2. Irregular rear lot line	creates angular	configuration	which contributes	
to proximity of rear pro	operty line vis-	a-vis proposed	d addition.	
3. Desire for architectural	1			ing
house precludes moving a				
(signature) Andrew P. Schachat (type or print name) STATE OF MARYLAND, COUNTY OF BAL' I HEREBY CERTIFY, this 12 day of of Maryland, in and for the County aforesaid, p Andrew P. Schace the Affiants(s) herein, personally known or sate	January personally appeared kat and isfactorily identified to me a	Robin D	a Notary Public of the State Schaehal nade oath in due form of law	
AS WITNESS my hand and Notarial Seal.		a J. Croj	whedge and belief.	

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at 1516 Heather Hill Road
Cockeysville, MD. 21030 City State Zip Code
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)
1. Due to septic reserve location in front of lot, original builder/developer
sited house toward rear of lot, making rear lot line as close as eighty-four
feet from the house.
2. Irregular rear lot line creates angular configuration which contributes to
proximity of rear property line vis-a-vis proposed addition.
3. Desire for architectural compatibility with traditional design of existing
house precludes moving addition forward in front of main house building line
nouse preciodes moving addition forward in front of main house barraing in
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information. Onder P. Schachat (signature) Andrew P. Schachat (type or print name) STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: 1 HEREBY CERTIFY, this
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal. As WITNESS my hand and Notarial Seal. Notary Public My Commission Expires: Rpul, 1996

line.

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1516 Heather Hill Road

which is presently zoned R.C.-5

ITEM #: ____

96-267-A

REVIEWED BY: ___ DATE: _

ESTIMATED POSTING DATE:

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A04.3B3 TO PERMIT A 38 BUILDINGTO PROPERTY LINE SETBACK (FOR A PROPOSED OWELLING-ADDITION) IN LIEU

OF THE REQUIRED 50 FT. AND TO AMEND THE LAST APPROVED FINAL
DEVILLOPMENT PLAN FOR LOT #6 OF HEATIAER ITILL
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or
practical difficulty)

- 1. Due to septic reserve location in front of lot, original builder/developer sited house toward rear of lot, making rear lot line as close as eighty-four feet from the house.
- 2. Irregular rear lot line creates angular configuration which contributes to proximity of rear property line vis-a-vis proposed addition.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, legal owner(s) of the property which is		
Contract Purchaser/Lessee:			Legal Owner(s).		
(Type or Print Name)			Andrew P. Schache (Type of Print Name) Andrew P. Sch		·/
Signature			Signature		
Address			Robin D. Schaehat		
City	State	Zipcode	Signature		
Attorney for Petitioner					
<u>Arnold Fleischma</u>	nn		1516 Heather Hill	. Road	252-2069 Phone No
(Type of Print Name)	ha		Cockeysville,	MD.	21030
Signature			City Name, Address and phone number of	State representative to be	Zipcode contacted
305 W. Chesapeak	e Ave. Su	ite 105 337-1	7600		
Address	Phone	No.	Name		
Towson,	State	21204 Zipcode	, Address		Phone No
	ltion be set for a pul	olic hearing , advertised, as	ed by the loning Commissioner of Batlimo s required by the loning Regulations of Ba		
			toning C	ommissioner of Bailt	more County

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on Recycled Paper



96-267-A

Zoning Description for 1516 Heather Hill Road, Cockeysville, MD. 21093

Beginning at a point on the north side of Heather Hill Road which is fifty feet wide at a distance of nine hundred twenty feet west of the centerline of Falls Road which is eighty feet wide. Being Lot #6 in the subdivision of "Heather Hill" as recorded in Baltimore County Plat Book #ENK, JR. 55 Folio 32, containing 2:2056 acres. Also known as 1516 Heather Hill Road, and located in the 8th election district, 3rd councilmanic district.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Tower, Maryland

		1/26/96
District8	Date of Posting	
Posted for: Administrative Variance		
Petitioner: Andrew P. Schachat and Rohin D. Sc.	hachat	****
Petitioner: Andrew P. Scharttat atto 1201110		
Location of property: 1516 Heather Hill Road		
Srond and of Drivelling	by street	,
Location of Signe Spront Youl of Drivelling		, 20 m m m m m m m m m m m m m m m m m m
Remarks:		·
Posted by Mark Swelffeff Purlow Da	te of return:	
Number of Signs:		
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	•	

BALTIM. E COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 1/8/96 ACCOUNT ROO16150

PAGE 1/8/96 ACCOUNT ROO16150

RECEIVED SCHACHAT
FROM:

1516 HEATHER HILL RD.

FOR: RV FILING 50.00

| SIEN DE PLAN 50.00
| SIEN OLD THE BANGE OF CASHIER

VALIDATION OR SIGNATURE OF CASHIER

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the 1) time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

$m{\cdot}$
For newspaper advertising:
Item No.: 276
Petitioner: Andrew and Robin Schachat
Location: 1516 Heather Hill Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Andrew and Robin Schachat
ADDRESS: Box 937
Brooklandville, MD. 21022
PHONE NUMBER: 252-2069
D.T. was
AJ:gqs

(Revised 04/09/93)



Printed on Bodycled Panel



Baltimore County
Department of Permits and
Development Management

Permits and Licenses County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 (410) 887-3900

Fax: (410) 887-2824

January 31, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re:

CASE NUMBER: 96-267-A (Item 276)

1516 Heather Hill Road

NE/S Heather Hill Road, 920' W of c/1 Falls Road

8th Election District - 3rd Councilmanic

Legal Owner: Andrew P. Schachat and Robin D. Schachat

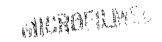
Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property has been posted. February 12, 1996 is your closing date. This is the last date on which a neighbor may file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

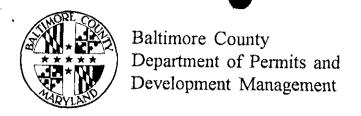
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

cc: Andrew and Robin Schachat
Arnold Fleischmann







Permits and Licenses County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 (410) 887-3900

Fax: (410) 887-2824

February 6, 1996

Arnold Fleischmann, Esquire 305 W. Chesapeake Ave., Suite 105 Towson, Maryland 21204

RE: Item No.: 276

Case No.: 96-267-A

Petitioner: A. P. Schachat

Dear Mr. Fleischmann:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 18, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: February 5, 1996 FROM: Arnold F. 'Pat' Keller, III, Director, PO SUBJECT: 1516 Heather Hill Road INFORMATION: Item Number: 276 Petitioner: Schachat Property Property Size: Zoning: RC-5 Requested Action: Administrative Variance Hearing Date: SUMMARY OF RECOMMENDATIONS: Pursuant to Section 1801.3A.7.b(1) of the BCZR, the Director of the Office of Planning finds that the proposed amendment is in accordance with the specific standards and requirements of BCZR Article (1B) and other provisions of the CMDP. Prepared by: Kly W. Kong

Division Chief: OMy C. Klyns PK/JL

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

Mr. Arnold Jablon, Director

January 30, 1996

Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

Development Coordinator, DEPRM

SUBJECT:

Zoning Item #276 - Schachat Property

1516 Heather Hill Road

Zoning Advisory Committee Meeting of January 29, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

If the proposed addition includes additional bedrooms, the septic system may need additional absorption trenches.

JLP:TE:sp

SCHACHAT/DEPRM/TXTSBP

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500

Office of the Fire Marshal (410) 887-4880

DATE: 01/29/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 29, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:271, 272, 273, 274, 276, 277 AND 278.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink on Recycled Paper

William Control



David L. Winstead Secretary Hal Kassoff Administrator

1-26-96

Ms. Joyce Watson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County Item No. 276 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief Engineering Access Permits

BS/es

My telephone number is __

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Feb. 5, 1996 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief Development Plans Review

RE: Zoning Advisory Committee Meeting for February 5, 1996 Items 272, 273, 275, 276 and 278

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB: SW

Sh. 1982 1 - 100 10

J 18

Heather Hill Homeowner's Association

October 23, 1995

Dr. and Mrs. Andrew Schachat P.O. Box 937 Brooklandville, MD 21022

Dear Dr. and Mrs. Schachat:

The Heather Hill Homeowner's Association Board of Directors has reviewed and approved the proposed plans for expansion of the structure on Lot #6 of Heather Hill Lane. As your building project progresses, please inform the board if any variations from the plans should occur.

Thank you for submitting the plans and drawings for your home improvement project. Your cooperation in this process is greatly appreciated.

Sincerely yours,

Pam Tucker President

Daniel and Agnes Mays

12410 Falls Road, Cockeysville, Maryland 21030-1616

Phone: (410) 252-8481

January 17, 1996

Zoning Commission of Baltimore County 111 W. Chesapeake Avenue, Room 109 Towson, Maryland 21204

We are writing to support the Zoning Variance for Andy & Robin Schachat, our bordering neighbors at 1516 Heather Hill Lane, Cockeysville, Maryland 21030.

We do not feel their putting in a swimming pool would be in any way detrimental to our property or harmful to us.

Very truly yours,

Agnes C. Mays_

Daniel W. Mays

276

January 8, 1996

Zoning Commissioner of Baltimore County 111 West Chesapeake Ave. Room 109 Towson, MD. 21204

Subject: Zoning Variance for 1516 Heather Hill Lane

Dear Sir:

We are writing to you to document our support for the administrative zoning variance applied for by our neighbors, Andy and Robin Schachat, of 1516 Heather Hill Lane. We believe that the proposed improvements to the subject property will only add value to the area, and will in no way adversely impact the welfare of our neighborhood.

If you have any questions concerning this subject matter, please feel free to contact us at your convenience. Thank you.

Respectfully,

Gurmeet Dhillon

Santosh Dhillon

1512 Heather Hill Lane Hunt Valley, Maryland 21030

Santash Dhill

(410) 252-8775

MICHO TO THE

To whom It May Concern:

We support the request for a zoning variance for Dr. + Mrs.

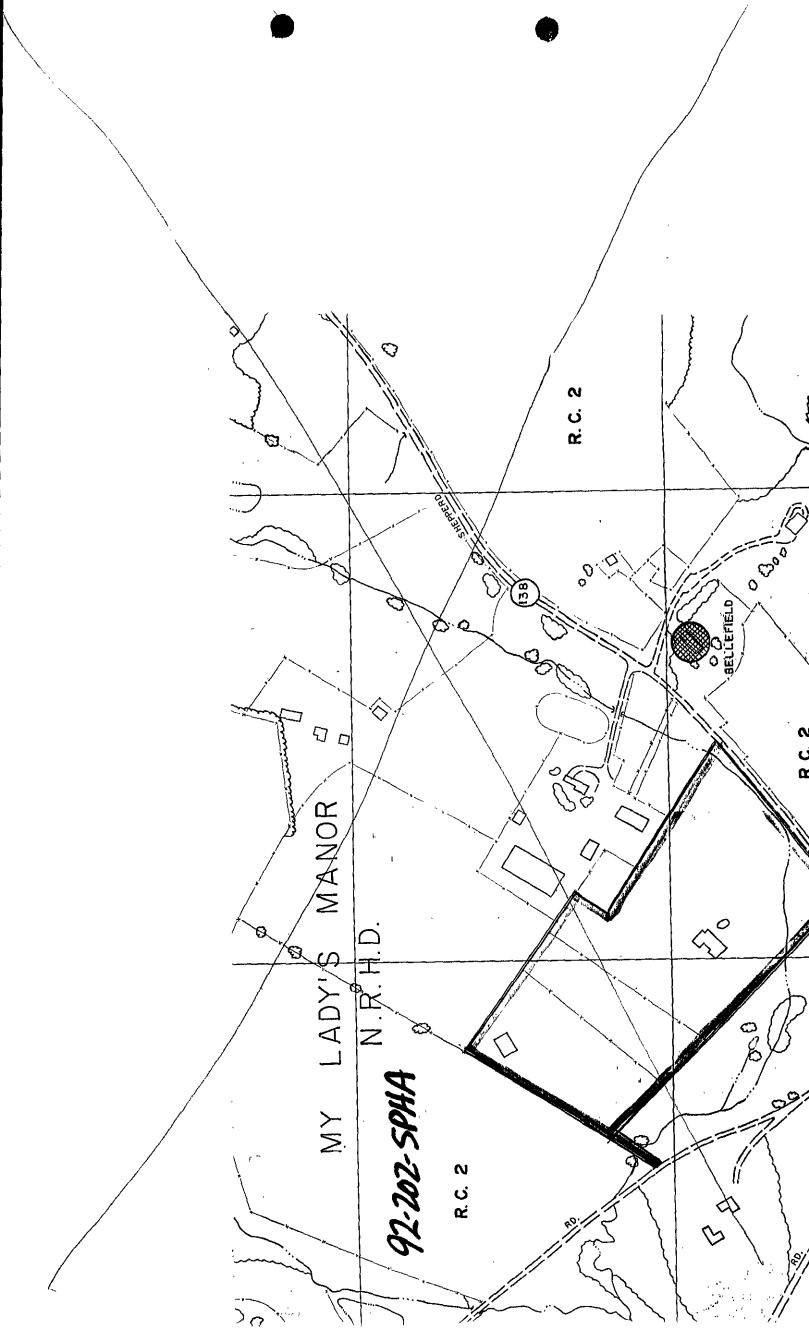
Andrew Schachat on 1515 Heather thill have. We are the immediate reighbors to the Northwest of their property.

Thank you Dr. + Mrs. Robert O. Himor 1500 Heather Hill have Cockeysville, MD

21030



1516 Heather their Rd.



1516 Heather Hill Rd.



Front elicatern received from liest (Heather Hill (H. reev.)



Front elevation reciped from in we 5 howing exporting hyphonto which addition is attached



North election Showing hyphen towhich addition is attached AND USE PERMIT IF NO PUBLIC HEARING IS REQUESTED

FOR A

Farmer's Roadside Stand

APPLICATION TO THE OFFICE OF ZONING ADMINISTRATION	N AND DEVELOPMENT MANAGEMENT:
I, or we, Stanley H. Stull roadside stand proposed in Baltimore County and plat attached hereto and made part hereof, he Subsection 404.4.C of the Zoning Regulations of not the Director of Zoning Administration and Deve permit. Said use permit is necessitated to perm a farmer's roadside stand to meet the regulations attached affidavit.	d which is described in the description and ereby petition for a use permit under Baltimore County, to determine whether or elopment Management should issue a use nit the use of land on a producing farm for of Subsection 404.4.C (B.C.Z.R.) and the
posting upon filing of this request, additional pudecide to proceed after a Protestant's public he to be bound by the Zoning Regulations and restrict to the Zoning Law for Baltimore County.	earing request and further agree to and are
Stanley H. Stull	/ 1-29-96
Farmer's Roadside Stand owner (type or print name)	20135 Old York Rd. White Hall M
Farmer's Roadside Stand Owner(s) Signature(s)	Address (type or print) 21161 Zip Phone # Work - 410-357-4946 Home - Same
	/
Legal Property Owner of Producing Farm Information	r: De radiae da rai (au radiae da rae ay dae au radiae da dae da
Henry C. Stull Name (type or print)	35 Old York Rd. White Hall.Md. 2 Address (type or print) Zip Phone # Work - 410-357-4946 Home - Same
PUBLIC HEARING REQUEST	
PUBLIC HEARING REQUEST	request that the proposed provided for in Section 404.4.C of the
I, or we, Stanley H. Stull Use Permit be the subject of a public hearing as properties and the subject of a public hearing as public hearing request.	request that the proposed provided for in Section 404.4.C of the
I, or we, Stanley H. Stull Use Permit be the subject of a public hearing as properties and the subject of a public hearing as properties and the subject of a public hearing request. 1-29-96 Date	request that the proposed provided for in Section 404.4.C of the current established processing fee for this 35 Old York Rd. White Hall.Md 21 Address (type or print)
I, or we, Stanley H. Stull Use Permit be the subject of a public hearing as a Zoning Regulations. I also agree to pay the public hearing request. 1-29-96 Date Protestant's Signature	request that the proposed provided for in Section 404.4.C of the current established processing fee for this
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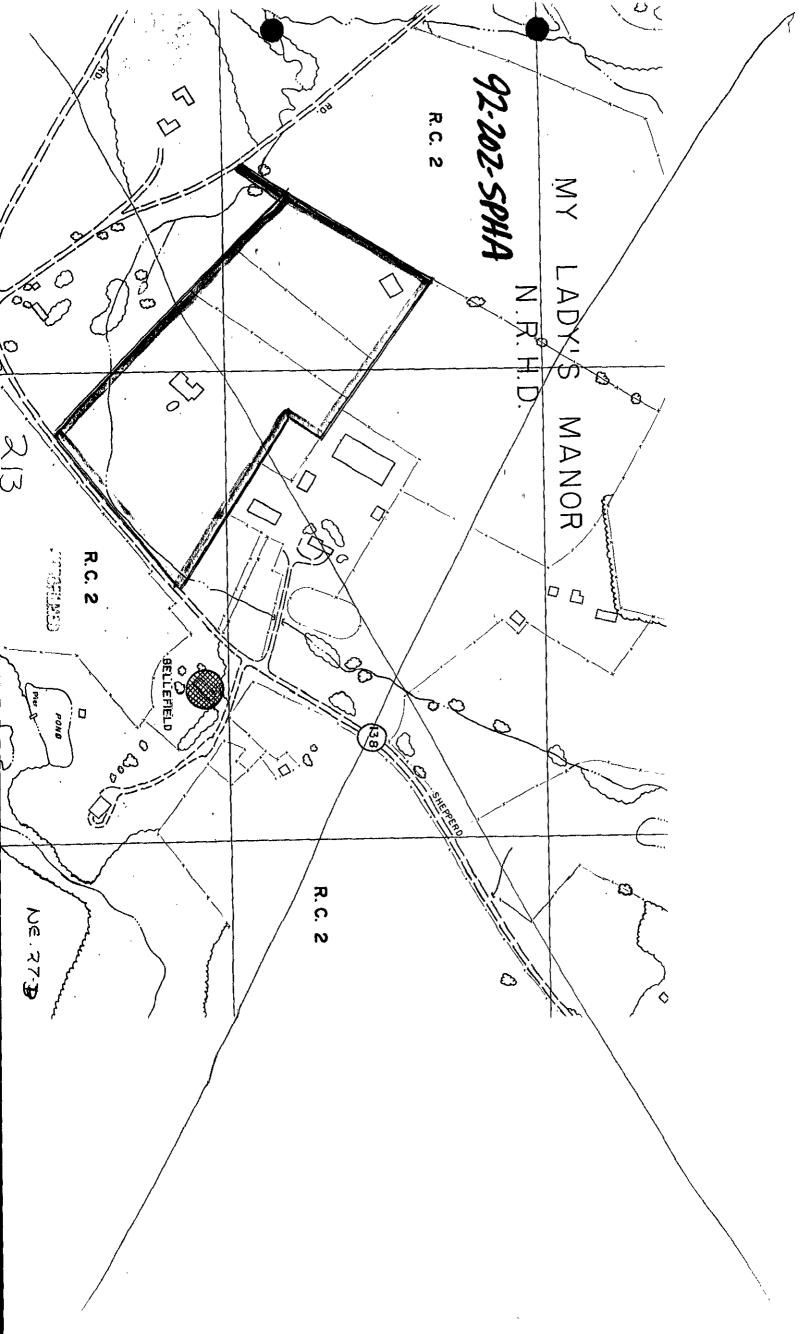
Proposed Master Bed-Noom.)



rear yord looking South toward # 15/2 Healher Hill 14



reened from



96-267-A



house - view of adjocent properly, 1520 Heather Hill Pd,

A The Land Continued

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND LEGISLATIVE SESSION 1995, LEGISLATIVE NO. 20

BILL NO. <u>185-95</u>

COUNCILMEMBERS MOXLEY & RILEY

BY THE COUNTY COUNCIL, OCTOBER 16, 1995

A BILL ENTITLED

AN ACT concerning

Breweries

FOR the purpose of defining several classes of breweries and permitting breweries to be located in certain business and manufacturing zones of the County under certain conditions.

By adding

Sections 232A.5 and 235A.5

Baltimore County Zoning Regulations, as amended

BY repealing and re-enacting, with amendments,

Section 101-Definitions, by adding definitions of classes of breweries and amending the definition of a standard restaurant

Baltimore County Zoning Regulations, as amended

BY repealing and re-enacting, with amendments,

Sections 236.2, 253.1.A., 256.1 and 256.2, by adding, alphabetically, permitted brewery use Baltimore County Zoning Regulations, as amended

WHEREAS, the Baltimore County Council has received a final report from the Planning Board, dated July 20, 1995, concerning the subject legislation, and held a public hearing thereon on

explanation:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Arackets] indicate matter stricken from existing law.
Strike-out indicates matter stricken from bill.
Upderlining indicates amendments to bill.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

This matter comes before the Zoning Commissioner as an administrative variance filed by Andrew P. Schachat and Robin D. Schachat, his wife, for that property known as 1516 Heather Hill Road in the Cockeysville section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a 38 ft. building to property line setback, for a proposed dwelling addition, in lieu of the required 50 ft., and to amend the last approved Final Development Plan for lot No. 6 of Heather Hill, in a R.C.5 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of February, 1996 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a 38 ft. building to property line setback, for a proposed dwelling addition, in lieu of the required 50 ft., and to amend the last approved Final Development Plan for lot No. 6 of Heather Hill, in a R.C.5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

> 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

February 15, 1996

Mr. and Mrs. Andrew P. Schachat 1516 Heather Hill Road Cockeysville, Maryland 21030

> RE: Petition for Administrative Variance Case No. 96-267-A Property: 1516 Heather Hill Road

Dear Mr. and Mrs. Schachat:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours,/ Zoning Commissioner

LES:mmn

Printed with Soybean Ink

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1516 Heather Hill Road which is presently zoned R.C.-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3B3 TO PERMIT A 38 BUILDING

SETBACK TO PROPERTY LINE (FOR A PROPOSED DUELLING ADDITION) IN LIEU OF THE REQUIRED 50 FT. AND TO AMEND THE LAST APPROVED FINAL OF THE ZONING REgulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or

1. Due to septic reserve location in front of lot, original builder/developer sited house toward rear of lot, making rear lot line as close as eighty-four feet from the house. 2. Irregular rear lot line creates angular configuration which contributes to proximity

of rear property line vis-a-vis proposed addition. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to

			I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee			Legal Owner(s)
			Andrew P. Schachat
(Type or Print Name)	1.5.5		(Type of Print Name)
			Chrodia R. Schwelen
Signature			Signature
			Robin D. Schaghat
Address			(Type or Print Name)
			RIOGRACIES
City	State	Zipcode	Signature
Attorney for Petitioner			
Arnold Fleisch	mann		1516 Heather Hill Road 252-2069
Type or Print Name)	_		Address Phone No
I LONE	1		Cockeysville. MD. 21030
Signature Signature	4/44		City State Zipcode
73.0.0.4			Name, Address and phone number of representative to be contacted
305 W. Chesapea	ke Ave. Sui	te 105 337-1	7600
Address	Phone		Name
<u>Fowson,</u>	MD212		
alty	State	Zipcode	Address Phone No.
		 	red by the Zoning Commissioner of Saltimore County, this day of

Printed with Soybean thk on Recycled Paper

Zoning Commissioner of Baltimore County ITEM #: 276

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penaltics of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. 1516 Heather Hill Road

That the Affiant(s) does/do presently reside at Cockeysville, MD. 21030

Core State Zp Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. Due to septic reserve location in front of lot, original builder/developer sited house toward rear of lot, making rear lot line as close as eighty-four feat from the house.

2. Irregular rear lot line creates angular configuration which contributes to proximity of rear property line vis-a-vis proposed addition.

3. Desire for architectural compatibility with traditional design of existing house precludes moving addition forward in front of main house building line.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and

I HEREBY CERTIFY, this 17 th day of January . 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Andrew P. Schaehat and Robin D. Schachat the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiants(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal. 10 mary 17, 1996

Beginning at a point on the north side of Heather Hill Road which is fifty feet wide at a distance of nine hundred twenty feet west of the centerline of Falls Road which is eighty feet wide. Being Lot #6 in the subdivision of "Heather Hill" as recorded in Baltimore County Plat Book #EHK, JR. 55 Folio 32; containing 2:2056 acres. Also known as 1516 Heather Hill Road, and located in the 8th election district, 3rd councilmanic district.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District 8 Posted for: Administrative Variance	Date of Posting 1 26 96
Petitioner: Andrew P. Schachat and Robin D. Location of property: 1516 Heather Hill Road	Schachat
Location of Signer Sport and & Mirelli	ing by street

BALTIME E COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT RECEIVED SCHACHAT 1516 HEATHER HILL RD. FOR: RY FILING I AMEND TO DEV PLAN 50.00 02A91E04DOHTCHRC 35 NO.10 I SIGN. BA CO11:18AKO1-18-96

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

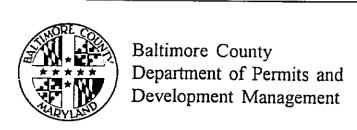
newspaper of general circulation in the County.

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

newspaper advertising:	
n No.: 276	
itioner: Andrew and Robin Schachat	
ation: 1516 Heather Hill Road	
ASE FORWARD ADVERTISING BILL TO:	
: Andrew and Robin Schachat	
ESS: Box 937	
Brooklandville, MD. 21022	
E NUMBER: 252-2069	

(Revised 04/09/93)



Permits and Licenses County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 (410) 887-3900 Fax: (410) 887-2824

NOTICE OF CASE NUMBER ASSIGNMENT

CASE NUMBER: 96-267-A (Item 276) 1516 Heather Hill Road NE/S Heather Hill Road, 320' W of c/l Falls Road 8th flection District - 3rd Councilmanic Legal Cwmer: Andrew P. Schachat and Robin D. Schachat

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3591. This notice also serves as a refresher regarding the administrative process.

1; Your property has been posted. February 12, 1996 is your closing date. This is the last date on which a neighbor may file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Leputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Baltimore County Government

Office of the Fire Marshal

DATE: 01/29/96

(410) 887-4880

Fire Department

cc: Andrew and Robin Schachat Arnold Fleischmann

700 East Joppa Road

Zoning Administration and

Baltimore County Office Building

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 29, 1996.

Development Management

Arnold Jablon

Towson, MD 21204

Item No.: SEE BELOW

276, 277 AND 278.

Gentlemen:

MAIL STOP-1105

Director

Towson, MD 21286-5500

Printed with Soybean Ink on Recycled Paper

Baltimore County Department of Permits and

Permits and Licenses County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 (410) 887-3900 Fax: (410) 887-2824

February 6, 1996

Arnold Fleischmann, Esquire 305 W. Chesapeake Ave., Suite 105 Towson, Maryland 21204

> RE: Item No.: 276 Case No.: 96-267-A Petitioner: A. P. Schachat

Dear Mr. Fleischmann:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 18, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

> W. Carl Richards, Jr. Zoning Supervisor

WCR/jw Attachment(s)

Maryland Department of Transportation State Highway Administration

David L. Winstead Secretary Hai Kassoff Administrator

1-26-96

Ms. Joyce Watson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: Baltimore County Item No. 276 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Ronald Burns, Chief Engineering Access Permits

REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

Zoning Agenda:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to

be corrected or incorporated into the final plans for the property.

IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 271, 272, 273, 274,

and the contract of the state of the contract of the contract

8. The Fire Marshal's Office has no comments at this time,

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: February 5, 1996

FROM: Arnold F. 'Pat' Keller, III, Director, PO

SUBJECT: 1516 Heather Hill Road INFORMATION:

Petitioner:

Zoning:

Administrative Variance

SUMMARY OF RECOMMENDATIONS:

Pursuant to Section 1B01.3A.7.b(1) of the BCZR, the Director of the Office of Planning finds that the proposed amendment is in accordance with the specific standards and requirements of BCZR Article (1B) and other provisions of the CMDP.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

Mr. Arnold Jablon, Director Zoning Administration and Development Management

January 30, 1996

J. Lawrence Pilson Development Coordinator, DEPRM

SUBJECT: Zoning Item #276 - Schachat Property

1516 Heather Hill Road Zoning Advisory Committee Meeting of January 29, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

If the proposed addition includes additional bedrooms, the septic system may need additional absorption trenches.

JLP:TE:sp

SCHACHAT/DEPRM/TXTSBP

Heather Hill Homeowner's Association

October 23, 1995

Dr. and Mrs. Andrew Schachat P.O. Box 937 Brecklandville, MD 21022

Dear Dr. and Mrs. Schachat:

The Heather Hill Homeowner's Association Board of Directors has reviewed and approved the proposed plans for expansion of the structure on Lot #6 of Heather Hill Lane. As your building project progresses, please inform the board if any variations from the plans should occur.

Thank you for submitting the plans and drawings for your home improvement project. Your cooperation in this process is greatly appreciated.

RWB:sw

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Feb. 5, 1996 Zoning Administration and Development Management

Zoning Advisory Committee Meeting

the subject zoning items and we have no comments.

for February 5, 1996 Items 272, 273, 275, 276 and 278

The Development Plans Review Division has reviewed

FROM: Robert W. Bowling, P.E., Chief Development Plans Review

Pan Tuchu

Daniel and Agnes Mays

12410 Falls Road, Cockeysville, Maryland 21030-1616

Phone: (410) 252-8481

January 17, 1996

Zoning Commission of Baltimore County 111 W. Chesapeake Avenue, Room 109 Towson, Maryland 21204

We are writing to support the Zoning Variance for Andy & Robin Schachat, our bordering neighbors at 1516 Heather Hill Lane, Cockeysville, Maryland

We do not feel their putting in a swimming pool would be in any way detrimental to our property or harmful to us.

Very truly yours,

Agnes C. Mays lignes & Mays

Daniel W. Mays

January 8, 1996

Zoning Commissioner of Baltimore County 111 West Chesapeake Ave. Room 109

Towson, MD. 21204

Subject: Zoning Variance for 1516 Heather Hill Lane

Dear Sir:

We are writing to you to document our support for the administrative zoning variance applied for by our neighbors, Andy and Robin Schachat, of 1516 Heather Hill Lane. We believe that the proposed improvements to the subject property will only add value to the area, and will in no way adversely impact the welfare of our neighborhood.

If you have any questions concerning this subject matter, please feel free to contact us at your convenience. Thank you.

Respectfull

1516 Heather Hill Rd.

ponoramie view of let un vicinity of proposed addition - looking North

Garmeet Dhillon

Santash Dhillon

Santosh Dhillon

1512 Heather Hill Lane Hunt Valley, Maryland 21030 (410)252-8775 To Whem It May Concern:

We support the request for a zoning variance for DE. + Mes. andrew Schachat on 1515 Heather thill have. We are the immediate neighbors to the Mosthwest of their property. Their property.

Thank you, Dr.+ Mrs. Robert O. Himer. 1500 Heather Hill have Cockeysville, MD 21030

reived from both (Heather Hill M view)

1516 Heather Hill Rd.

Front elevation recived from N.W. Showing existing hyphon to which addition is attached



North elevation Showing hyphen towhich addition is attached





Rear elonation vioures from East (vicinity of Proposed Master Bedroom.)



rear yord

rear yord

looking South

toward # 15/2

Halker Hill Pd.

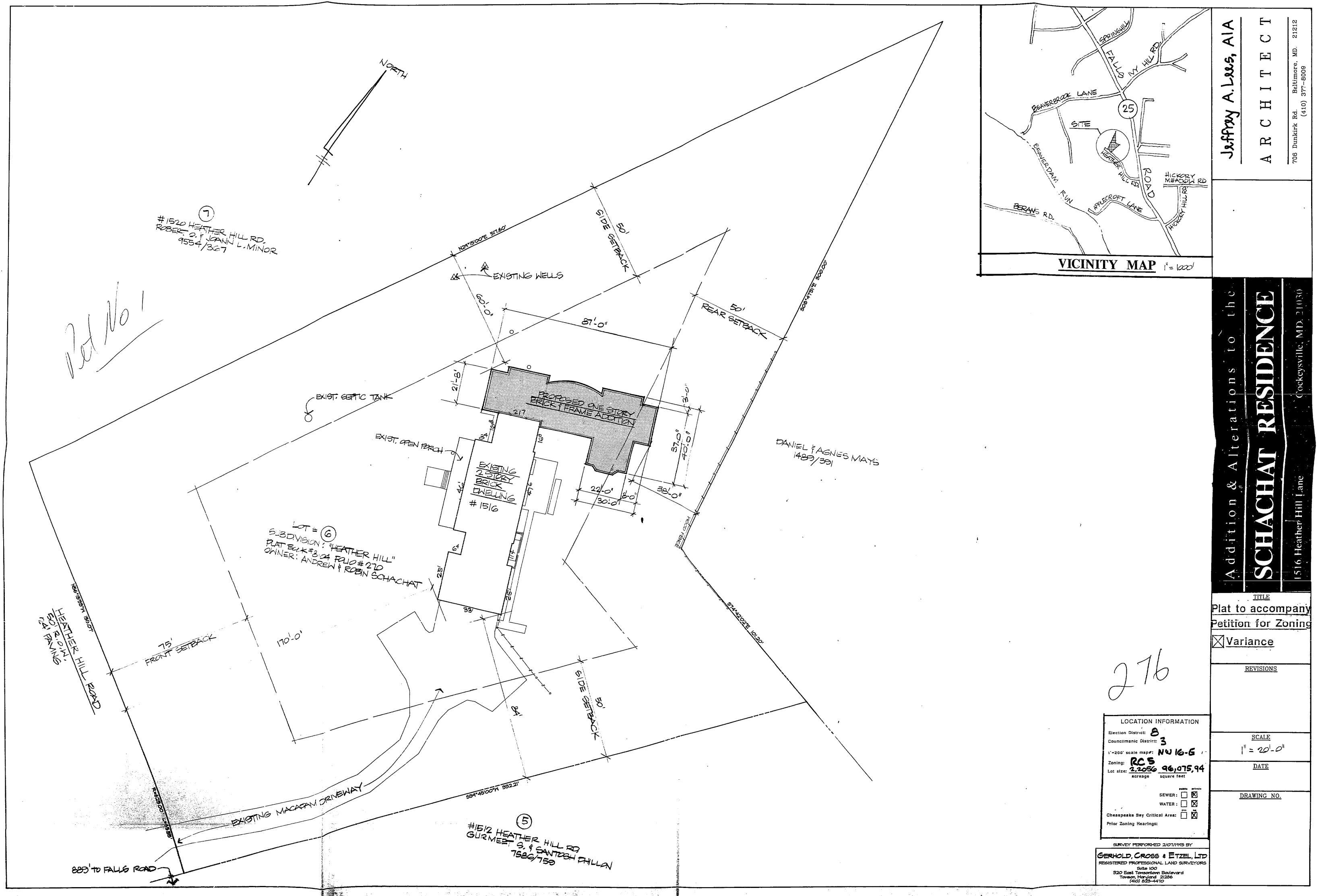


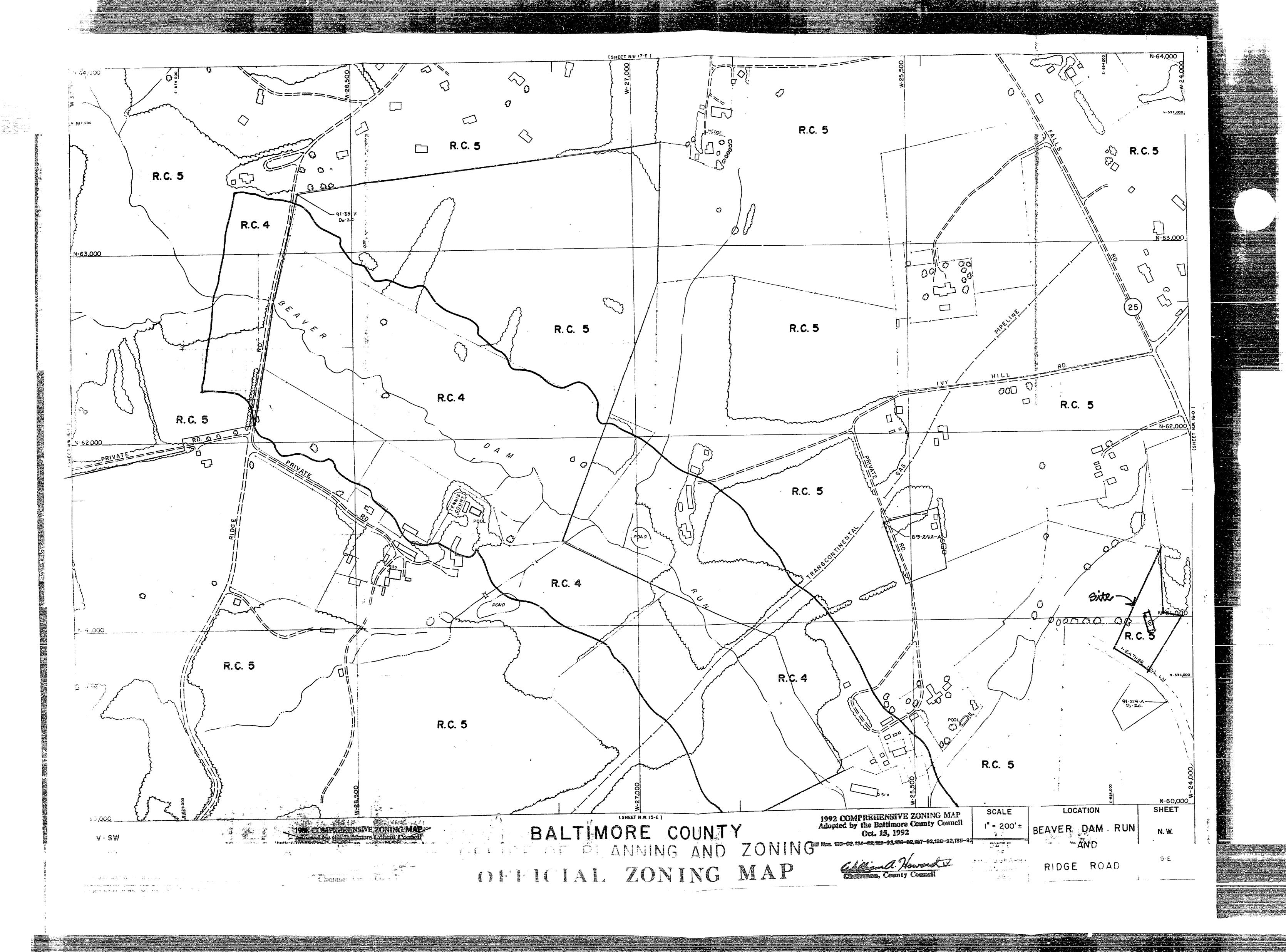
reard house



Mouse - view of adjacent property,
1520 Heather Hill Pd.









BALTIMORE COUNTY 96-267-A
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE

I' = 200' ±

BEAVER DAM RUN

DATE

OF
PHOTOGRAPHY

JANUARY

1986

LOCATION

SHEET

N.W.

16-E

RIDGE ROAD

PREPARED BY AIR PHOTOGRAPHICS, INC. MARTINSBURG, W.V. 25401